The society has ploughed 76 acres with a tractor hired from the Agricultural Department and has raised cholam in 60 acres, chillies in 3 acres, adai kambu and cholam (for fodder purposes) in about $1\frac{1}{2}$ acres. The society owns eleven working bulls, one stud bull and four she-buffaloes (for manurial purposes). The society has purchased four bullock-carts and agricultural implements required for agricultural operations.

Though the society has been in existence for only a year, it has made a good beginning.

Appendix V.

[Vide item IV (1) on page 101 supra.]

L.C. BILL No. 2 OF 1959.

(As passed by the Council.)

A Bill further to amend the Madras Public Health Act, 1939.

Whereas it is expedient further to amend the Madras Public Health Act, 1939 (Madras Act III of 1939), for the purposes hereinafter appearing;

Be it enacted in the Tenth Year of the Republic of India as follows :—

1. *Short title.*—This Act may be called the Madras Public Health (Amendment) Act, 1959.

2. *Insertion of new sections* 107-*A*, 107-*B and* 107-*C in Madras Act III of* 1939.—In the Madras Public Health Act, 1939 (Madras Act III of 1939) (hereinafter referred to as the principal Act), in Chapter XII, before section 108, the following sections shall be inserted, namely :—

" 107-A. *Prohibition of sale of food without licence on certain places.*—No person shall, without or otherwise than in conformity with the terms and conditions of a licence granted by the executive authority in this behalf, keep any eating, drinking or catering establishment, hotel, tea-shop, coffee-house, cafe, restaurant, refreshment room, mobile canteen, itinerant stall or vehicle or any place where the public are admitted for the consumption of any food or vehicle or any place where food is sold or prepared or stored for sale.

107-B. *Issue of licence.*—(1) The executive authority on receiving from any person an application for a licence or for the renewal of a licence for keeping in any building, mobile van, vehicle or place, any eating, drinking or catering establishment,

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hotel, tea-shop, coffee-house, cafe, restaurant, refreshment room, mobile canteen, itinerant stall or vehicle or any place where the public are admitted for the consumption of any food or vehicle or any place where food is sold or prepared or stored for sale, and on payment by him of such fee, if any, as may be prescribed for the purpose shall grant a licence or renew a licence as the case may be, in respect of the building, mobile van, vehicle or place named in the application :

Provided that the executive authority shall not grant a licence or renew a licence until the Health Officer or any person duly authorized by him has inspected the building, mobile van, vehicle or place named in the application and has recommended such licence or renewal of licence :

Provided further that the executive authority may refuse to grant a licence or to renew a licence if he is satisfied that the building, mobile van, vehicle or place is not suitable for the purpose mentioned in the application or does not satisfy the minimum requirements as regards sanitation.

(2) The licence or renewal of the licence granted under sub-section (1) shall expire at the end of the year for which it is granted, unless the executive authority, acting on the advice of the Health Officer, considers for special reasons that it should expire at an earlier date, in which case such earlier date shall be specified in the licence as the date of expiry of the licence or renewal of licence.

(3) Where the executive authority is, at any time, of opinion that the building, mobile van, vehicle or place in respect of which a licence is granted or renewed under sub-section (1) is kept in contravention of any of the terms or conditions of the licence or of the provisions of the rules made under section 107-C or section 128, he may without prejudice to any other action which may be taken in respect of such contravention, cancel or suspend such licence after giving the holder of the licence a reasonable opportunity of showing cause against the proposed cancellation or suspension.

(4) If the executive authority refuses to grant or renew, or cancels or suspends, a licence under this section he shall deliver to the applicant a statement in writing of the grounds on which his application is refused or his licence is cancelled or supended.

(5) Any person aggrieved by the refusal to grant or renew, or by the cancellation or suspension of, a licence by an executive authority under this section may appeal to the local authority and it shall be disposed of in accordance with the rules prescribed by Government.

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107-C. *Power to make rules for fixing requirements as regards sanitation.*—The Government shall have power to make rules—

(*a*) for fixing the requirements as regards sanitation for different types of buildings, mobile vans, vehicles or places licensed under sub-section (1) of section 107-B;

(*b*) for preventing food infections and food poisoning spread through food sold or prepared or stored for sale in any building, mobile van, vehicle or place licensed under sub-section (1) of section 107-B;

(*c*) with respect to taking precautions when outbreaks of food infection or food poisoning due to consumption of food are suspected;

(*d*) generally for effective control over the preparation, storage and distribution of food in any building, mobile van, vehicle or place licensed under sub-section (1) of section 107-B.".

3. *Amendment of section* 112, *Madras Act III of* 1939.—(*a*) Section 112 of the principal Act shall be re-numbered as sub-section (1) of that section and in the sub-section as so re-numbered, after the words "The Health Officer", the words "or any person duly authorized by him" shall be inserted;

(*b*) after sub-section (1) as so re-numbered, the following sub-sections shall be inserted, namely :—

"(2) Samples of any article of food or any vessel or utensil, in which such articles of food are kept may be taken and examined by the Health Officer or any person duly authorized by him as often as may be necessary for the detection of unwholesomeness. If on such examination he finds any such article of food to be unwholesome, he may condemn it and forbid its sale.

(3) Whoever obstructs the Health Officer or person duly authorized by him in the discharge of his duties under this section shall be punishable with fine which may extend to one hundred rupees.".

4. *Insertion of new section* 112-*A in Madras Act III of* 1939.—After section 112 of the principal Act, the following section shall be inserted, namely :—

"112-A. *Power of the Health Officer in regard to unwholesome food.*—(1) If any article intended for food appears to the Health Officer or to a person duly authorized by him to be unfit for human consumption or is unwholesome or the utensil or vessel used in manufacturing, preparing or keeping such article appears

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to be of such kind or in such state as to render the article unwholesome or noxious, he may seize or take away or secure such article or utensil or vessel in order that the same may be dealt with as hereinafter provided.

(2) No person shall remove or in any way interefere with an article, utensil or vessel seized, taken away or secured under sub-section (1).

(3) Any article of food so seized, taken away or secured, may, with the consent of the owner or person in whose possession it was found, be forthwith destroyed in such manner as to prevent its being used for human food or exposed for sale and if the article is perishable, without such consent.

(4) Any expenses incurred in destroying any article of food under sub-section (3) shall be paid by the owner or person in whose possession it was at the time when it was seized, taken away or secured.

(5) Articles of food seized, taken away or secured under sub-section (1) and not destroyed under sub-section (3) and utensils or vessels seized, taken away or secured under sub-section (1), shall, as soon as possible, be produced before a Magistrate.

(6) Whether or not any complaint is laid before a Magistrate of any offence under the Indian Penal Code (Central Act XLV of 1860) or under this Act, if it appears to the Magistrate on taking such evidence as he thinks necessary that any such article is unwholesome or noxious or any such utensil or vessel is of such kind or in such state as is described in sub-section (1) he may order the same—

(*a*) to be forfeited to the local authority;

(*b*) to be destroyed at the charge of the owner or any person in whose possession it was at the time when it was seized, taken away or secured in such manner as to prevent the same being again exposed or hawked about for sale or used for human food or for the manufacture or preparation of, or for keeping, any such article as aforesaid.".

5. *Amendment of section* 113, *Madras Act III of* 1939.—In section 113 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely :—

"(2) When a reasonable suspicion arises as to the possibility of transmission of infection from any person who is employed in any of the places of employment specified below, namely, an eating, drinking, or catering establishment, hotel, tea-shop, coffee-house, cafe, restaurant, refreshment room, mobile canteen, itinerant stall or a place where the public are admitted for the consumption of

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any food or vehicle or a place where food is sold or prepared or stored for sale, the Health Officer may require any or all of the following measures to be taken, namely :—

(i) the immediate exclusion of the employee from such place of employment;

(ii) the immediate closure of the business in such place of employment until no further danger or outbreak of disease exists in the opinion of the Health Officer;

(iii) medical examination of the employee and of his associates.".

6. *Amendment of section* 129, *Madras Act III of* 1939.—In section 129, sub-section (1), of the principal Act, after the word and figures "section 81", the words, figures and letter "or section 107-C" shall be inserted.

7. *Amendment of section* 287, *Madras Act IV of* 1919.—In section 287 of the Madras City Municipal Act, 1919 (Madras Act IV of 1919) to sub-section (1), the following proviso shall be added, namely :—

"Provided that no such licence shall be required for the use of any place for a lodging house as defined in the Madras Public Health Act, 1939 (Madras Act III of 1939), if the keeper thereof has been registered under that Act.".

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